

REMARKS/ARGUMENTS

Applicant is canceling claims 9-11 in favor of new claims 12-16. As discussed below, new claims 12-16 are submitted to clearly distinguish patentably over the prior art.

On page 2 of the final Office Action of March 10, 2003, the drawings which include color photographs are objected to. This is a repeat of an earlier objection to the drawings, and applicant again has duly noted the objection. Upon allowance of the application, applicant will file a petition under 37 C.F.R. § 1.84(a)(2).

Beginning on page 3 of the final Office Action, claims 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kamiya et al., the article entitled "Excimer Laser Annealing SLA3600", in view of Asai et al., U.S. Patent 5,365,875, or Kudo, U.S. Patent No. 5,496,768, or Noguchi et al., U.S. Patent No. 5,529,951. On page 4 of the Office Action, it is noted that such claims are product-by-process claims, and therefore such claims are directed to the product per se, no matter how actually made. It is stated that determination of patentability is based upon the product itself.

Consequently, applicant is presenting new claims 12-16. Such claims define a laser annealed device for executing a method, as defined in original claims 1-8. The laser annealing device as so defined is supported by Figs. 18 and 19 and by the corresponding description in the specification. The profile of the laser beam is shown in Figs. 5-8, and elsewhere, and is described in the corresponding description in the specification.

Thus, new claim 12 defines a laser anneal device which comprises a laser light source, an optical system for forming a line-form sheet beam from laser light emitted from the laser light source, and a mechanism for changing a relative position between a semiconductor film and the line-form sheet beam such that the line-form sheet beam scans the semiconductor film in a line width direction while

Appl. No. 09/291,538

Attorney Docket No. 005586/D8326 (81784.0208)

Amdt. Dated September 10, 2003

Customer No. 26021

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the line-form sheet beam overlaps a previous scan in a predetermined amount. As further set forth in claim 12, "the optical system creates a sloped energy level profile in the line-form sheet beam in a line width direction of the line-form sheet beam", and "the mechanism changes the relative position between a semiconductor film and the line-form sheet beam such that a direction from a position, in the line-form sheet beam in the line width direction, in which the energy level is lower towards a position in which the energy level is higher matches a scan progress direction of the line-form sheet beam with respect to the semiconductor film". Such limitations distinguish the laser annealing process of the present invention over the prior art taken alone or in the attempted combination thereof. Even the attempted combination thereof does not disclose or suggest such limitations.

New claims 13-16 depend from and further define claim 12 in terms of additional limitations which further distinguish the present invention over the prior art.

In conclusion, new claims 12-16 are submitted to clearly distinguish patentably over the prior art for the reasons discussed above. Therefore, reconsideration and allowance are respectfully requested.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

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Date: September 10, 2003

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